

030904
21861 U.S. PTO

Practitioner's Docket No. D-1219 R2

PATENT
22390 U.S. PTO
10/797412

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Pietro Scarafile, Piero Ghiringhelli, Giorgio Cerioni, Francesco Ferraro, Natarajan Ramachandran, Paul D. Magee, David A. Barker, Kenneth Turocy, Jim Booth and Zachary Utz

For (title): **CASH DISPENSING AUTOMATED BANKING MACHINE WITH IMPROVED CARD RETENTION CAPABILITIES AND METHOD**

1. Type of Application

This transmittal is for an original (nonprovisional) application.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
37 C.F.R. Section 1.8(a) 37 C.F.R. Section 1.10*

[] with sufficient postage as first class mail. [X] as "Express Mail Post Office to Address"
Mailing Label No. EV382416155 US
(mandatory)

TRANSMISSION

[] transmitted by facsimile to the Patent and Trademark Office (703)

Date: MARCH 9, 2004

Signature

Ralph E. Jocke

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal--page 1 of 4)

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

63 Pages of Specification
9 Pages of Claims
19 Sheets of Drawing(s)

B. Other Papers Enclosed

12 Pages of declaration and power of attorney
1 Page of Abstract
12 Pages of Application Data Sheet

4. Declaration or Oath

Executed by all inventors enclosed.

5. Inventorship Statement

The inventorship for all the claims in this application is not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, will be submitted.

6. Language

English

7. Assignment

An assignment of the invention to Diebold Self-Service Systems, Division of Diebold, Incorporated executed by inventors is enclosed. Form PTO 1595 is also attached.

8. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	34	- 20 =	14 x	\$18.00	\$252.00
Independent Claims (37 CFR 1.16(b))	2	- 3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))	0		+	\$290.00	\$0.00
Filing Fee Calculation					\$ 1,022.00

9. Fee Payment Being Made at This Time

Enclosed

Filing Fee	\$ 1,022.00
Recording assignment (\$40; 37 C.F.R. Section 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$ 40.00
Total Fees Enclosed	\$ 1,062.00

10. Method of Payment of Fees

Charge Account No. 09-0428 (InterBold) in the amount of \$ 1,062.00.
A duplicate of this transmittal is attached.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428 (InterBold).

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

12. Instructions as to Overpayment

Credit Account No. 09-0428 (InterBold).

ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED

13. Relate Back

A. 35 U.S.C. Section 119(e)

This application claims the benefit of U.S. Provisional Application Nos.:

APPLICATION NO.

FILING DATE

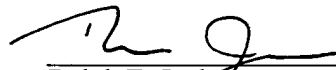
60/453,365

03/10/2003

The above identified prior filed provisional application whose benefit is being claimed was filed in the English language.

14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

The inventorship for all the claims in this application are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made will be submitted.



Ralph E. Jocke
Registration No. 31,029
231 South Broadway
Medina, Ohio 44256
Phone: 330-721-0000
Fax: 330-722-6446

Customer No. 28995